



Enforcement Division

The mission of the Enforcement Division is to protect public welfare and interest by enforcing the laws and regulations, and combating youth access to alcoholic beverages and tobacco products

Enforcement Priorities

- Alcohol sales to a minor
- Alcohol sales to intoxicated individuals
- Disorderly premises
- Hidden ownership
- Source investigations

Enforcement Division

The Enforcement Division is comprised of

- Three sections across Kentucky
- 30 certified law enforcement officers across Kentucky
- Two administrative support personnel

Enforcement Division

- Investigators are vested by law with full police powers under KRS 241.090 and must be certified law enforcement officers under KRS 15.380
- Investigators are strategically located to maximize their special emphasis on the enforcement of Kentucky's alcohol laws and enforcing federal and state tobacco regulations
- Conducts trainings for KSP and for local LE agencies to educate those personnel on alcohol laws and regulations so that they can keep their communities safe and promote compliance with alcohol licensees

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Enforcement Division

ABC conducts proactive enforcement strategies aimed at curbing youth access to alcohol and tobacco products

- Operation Zero Tolerance (OZT) alcohol compliance checks
- Cops in Shops Details
- Targeted Enforcement Details (TEDS)
- Source Investigations
- FDA Tobacco

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Alcohol KRS Chapters

- 241 – Administration and Control. Contains definitions, ABC Board authority, role of local ABC Administrators, etc.
- 242 – Local Option. Dry Territory, process for repealing prohibition in a city/county, a precinct, etc.
- 243 – Licenses and Taxes
- 244 - Prohibitions, Restrictions and Regulations

Business Authorized Statute

KRS 243.020

- A business must have the appropriate alcohol license(s)
- The license authorizes the business to sell alcohol by: drink, package, etc.

Hours of Operation

- 244.290 – Prohibits after hour sales of distilled spirits and wine
- 244.480 – Prohibits after hour sales of malt beverages
- If no local government ordinance sets local sale times, then the state law says Monday – Saturday 6 am – Midnight. No Sunday sales.

License and Required Signage

- 243.620 – ABC license must be posted
- 243.895 – Alcohol Consumption and Pregnancy Warning Sign
- 244.083 – Warning to Minors Sign

Employees

- 244.090 - Persons whom licensees may not employ
- Felony conviction within last two years
- Twice convicted of misdemeanor or offense attributed to the use of alcohol within the last two years
- Is under the age of twenty (20) years, unless the person is employed:
employment is in a capacity that **does not involve the sale or serving of alcoholic beverages**

Three Tier System

- Top Tier - Producers
- Middle Tier - Wholesalers and Distributors
- Bottom Tier – Retail level

Each tier must purchase from the tier above it

Records

- KRS 244.150 - Licensee shall keep and maintain adequate books and records of all transactions involved in the sale of alcoholic beverages
- 804 KAR 4:100 – original or true copies of alcohol invoices, sales must be kept or be readily available for two years

Verify Who is Being Served Alcohol

- 244.080 - Retail sales to certain persons prohibited
- Sales to minors (u/21), sales to intoxicated
- Ask and check for IDs. Don't serve individuals that are intoxicated.

Minors and Alcohol

- 244.085 - Minors not to possess or purchase alcohol

Minors may not possess, attempt to possess or have another person purchase alcohol for them

Disorderly Premises

KRS 244.120

- (1) A retail licensee, a patron, or the licensee's agents, servants, or employees shall not cause, suffer, or permit the licensed premises to be disorderly

Disorderly Acts

- Fighting
- Loud noise
- Creating a public nuisance
- Engaging in criminal activity
- Not meeting state and local standards for health, fire, safety and sanitary conditions

Criminal and Administrative Proceedings

- If a violation occurs on an alcohol licensed premises:
- The violator may be cited for that statute and will be scheduled to appear in District Court (criminal offense)
- If the violation occurred on a licensed premises, then the licensee may held accountable for that violation (administratively) with a hearing before the ABC Board.

Questions/Comments



ALCOHOLIC BEVERAGE CONTROL